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C O N F I D E N T I A L SECTION 01 OF 02 TASHKENT 000782

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SUBJECT: UZBEKISTAN EXPELS HUMAN RIGHTS WATCH DIRECTOR;
LOCAL STAFFER FACES TRIAL

REF: TASHKENT 296 (NOTAL)

Classified By: AMB. JON R. PURNELL, FOR REASONS 1.4 (B, D)

11. (C) Summary: On April 13, the Ministry of Justice informed Human Rights Watch's office director that it had denied her request for an extension of her accreditation. As she is the last remaining staffer who has not been either arrested or deported, this decision effectively ends Human Rights Watch's presence in Uzbekistan. The organization's local assistant, Umida Niyazova, goes on trial this week on multiple criminal charges, including the allegation that she used a grant from the U.S. Embassy to spread printed materials posing a threat to public order. The government's actions against Human Rights Watch are in stark contrast to EU demands for concrete positive actions on human rights. End summary.

ACCREDITATION DENIED

12. (U) At 5:00 in the afternoon on Friday, April 13, the Ministry of Justice called in Human Rights Watch office director Andrea Berg (a German citizen) and informed her that the government had denied her request for renewal of accreditation. In a terse letter, Ministry officials justified the decision by claiming that Berg had exceeded her authority and that her activities were inconsistent with Human Rights Watch's charter. Berg reported that the Ministry gave her no guidance as to when she is required to depart Uzbekistan.

13. (U) Berg is the only employee remaining at Human Rights Watch except for a part-time local accountant and a contract driver. The Ministry of Justice effectively expelled an Amcit junior researcher in April 2006 by refusing to renew his accreditation. In June 2006, Human Rights Watch applied for a visa for a new Amcit junior researcher, but the government has not issued a visa and has not responded to numerous inquiries from Human Rights Watch regarding the status of the application. The Embassy also queried contacts at the Foreign Ministry about the visa, but received no response. The office's local researcher and translator, Umida Niyazova, was arrested in January on politically motivated charges and faces trial this week (reftel). Several members of Human Rights Watch headquarters staff have applied to visit Uzbekistan in the past year, but all requests for visas have gone unanswered. Justice Ministry officials on Friday were quick to reassure Berg that the government is not asking Human Rights Watch to close its office. The Ministry's letter ends with the ironic line:

"The Ministry of Justice expresses its hope for future cooperation." Berg said that Human Rights Watch would contest the government's decision.

NIYAZOVA ON TRIAL

¶4. (C) Berg reported that Umida Niyazova is scheduled to go on trial on Thursday, April 19, at Tashkent's Sergeli District Criminal Court. She is accused of illegal border crossing, smuggling, and distributing material that poses a threat to public order. The charges could result in a sentence of several years' imprisonment. The Embassy has requested permission to monitor the trial, and the British Embassy has also indicated that it will attempt to send observers. Since Niyazova's arrest, her family and lawyer have had occasional access to her. The Embassy has twice requested access to her unsuccessfully. The German Embassy has likewise requested access twice, but authorities denied the requests based on the fact that the case was still under investigation.

¶5. (C) Niyazova's lawyer told Berg that prosecutors have included in the indictment an accusation that Niyazova received funding from the U.S. Embassy's Democracy Commission small grants program and used the money to produce and distribute literature posing a threat to public order. In late January, shortly after Niyazova's arrest, the Embassy did in fact approve a Democracy Commission grant of just over \$7,500 to the newly established human rights monitoring organization Veritas, of which Niyazova is a co-founder. The organization began receiving grant funds in the first week of April.

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¶6. (C) Comment: By denying Berg's accreditation, the Uzbek government, for all practical purposes, has expelled Human Rights Watch altogether. The office cannot operate without a staff, and the government has studiously ignored all requests for additional visas. Human Rights Watch is the last international human rights organization represented in Uzbekistan. The government's actions against it are part of a coordinated effort to stop the flow of information to the outside world about its human rights practices. When the European Union meets again in May to consider the future of sanctions against Uzbekistan, it should consider this action, and the trial of Umida Niyazova, as a stark contrast to its call for concrete positive steps on human rights.

PURNELL